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Attorney Docket No.: P19-US

Gp 2812



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Satyadev Patel, et al.

Group Art Unit: 2812

Serial No.: 10/005,308

Examiner: Ha, Nathan W

Filed: December 3, 2001

For: **A METHOD FOR FORMING A MICRO-ELECTROMECHANICAL  
DEVICE**

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Dear Sir:

In Response to the Office Action dated January 28, 2004, it is believed that claims 56-124 are most closely related and are hereby elected as "Group I". Claims 1-55 and 125-132 ("Group II") are not elected.

In the event any fees are required in connection with this response, please charge our Deposit Account No. 501516.

Respectfully submitted,

Gregory R. Muir

Attorney for Applicant  
Registration No. 35,293

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P.O. Box 1450  
Alexandria, VA 22313-1450

On February 10, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Lois M. Simón

Lois M. Simón

PATENT  
Docket No.: 014058-013300US  
Client Ref. No.: 208

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Sally Mossman  
Lawrence S. Evans  
Jory R. Baldrige

Patent No.:

Issued:

Application No.: 10/068,171

Filed: February 4, 2002

For: IMMUNOSTIMULANT  
COMPOSITIONS COMPRISING  
AMINOALKYL GLUCOSAMINIDE  
PHOSPHATES AND SAPONINS

Examiner: Wang, Shengjun

Art Unit: 1617

PROVISIONAL ELECTION OF SPECIES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of non-responsiveness dated January 22, 2004 in the above Application, Applicants make the following provisional election of species.

As the species of AGP, Applicants elect the compound designated B19, described on page 26 of the specification, namely 2-[(R)-3-Tetradecanoyloxytetradecanoylamino]ethyl 2-Deoxy-4-O-phosphono-3-O-[(R)-3-tetradecanoyloxytetradecanoyl]-2-[(R)-3-tetradecanoyloxytetradecanoylamino]-β-D-

Sally Mossman, Lawrence S. Evans, Jory R.  
Baldrige  
Application No.: 10/068,171  
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PATENT

glucopyranoside triethylammonium salt. This corresponds to a compound having the structure set forth in Formula (Ia) in which  $R_1=R_2=R_3=n\text{-C}_{13}\text{H}_{27}\text{CO}$ ,  $X=Y=\text{O}$ ,  $n=m=p=q=0$ ,  $R_4=R_5=R_6=R_7=R_9=\text{H}$ , and  $R_8=\text{PO}_3\text{H}_2$ .

As the species of saponin, Applicants elect Quil A.

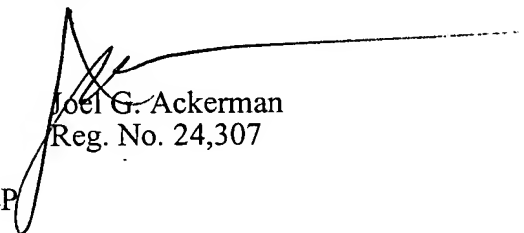
As the species of antigen, should Applicants' traverse be successful, Applicants elect the antigen rDPV (rMtb8), a recombinant polypeptide antigen from *M. tuberculosis*, which is described in Example 1.

All the above elections are made provisionally, and strictly for the purpose of enabling the Examiner to commence examination of claims in this Application, and do not represent any agreement of Applicants to the limitation of claims to such species. Applicants consider that they are entitled to generic claims in this application so long as such are patentable over the art, and do not agree to limit claims to the elected species.

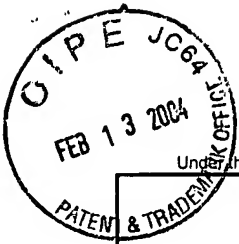
Applicants request the Examiner to initiate examination of the elected claims, including those whose restriction was traversed in the previous response.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned.

Respectfully submitted,

  
Joel G. Ackerman  
Reg. No. 24,307

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PTO/SB/92 (08-03)  
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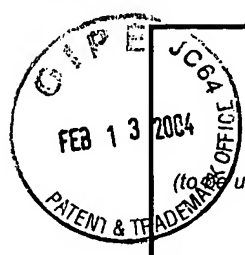
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Attorney Docket No. P019-US, Serial No.: 10/005,308

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GP1617  
PTO/SB/21 (08-03)



<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/068,171
		Filing Date	February 4, 2002
		First Named Inventor	Mossman, Sally
		Art Unit	1617
		Examiner Name	Wang, Shengjun
Total Number of Pages in This Submission	3	Attorney Docket Number	014058-013300US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Provisional Election of Species
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Joel G. Ackerman Reg. No. 24,307
Signature	
Date	February 10, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
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Typed or printed name	Lois M. Simón		
Signature		Date	February 10, 2004